

2023:PHHC:083834

**107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA-5584-2017 (O&M)
Date of decision: 04.07.2023

Roop Chand

....Appellant

Versus

The Cheeka Vikas Housing Building Society and others
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Palak Jain, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

The appellant's suit for rendition of account, grant of permanent injunction to restrain the defendants from recovering the amount has been dismissed by the learned First Appellate Court. Admittedly, the appellant borrowed a housing loan of Rs.80,000/- from the respondent-Society in the year 1991-92. The amount was to be repaid in 80 quarterly instalments of Rs.3255/- each. The appellant paid instalments for some time but defaulted later on. Once recovery notice was issued, the appellant filed the present suit. The respondent-Society in its evidence produced statement of accounts Ex.DA. However, the trial court decreed the suit qua rendition of accounts. Learned First Appellate Court, after noticing that the statement of account has already been produced, reversed the judgment of the trial court.

Heard the learned counsel representing the appellant at length and with her able assistance perused the paperbook. Learned counsel representing the appellant submits that the Appellate Court has erred in reversing the judgment of the trial court qua rendition of

account. She submits that the respondent-Society is duty bound to render the account.

On a Court question, she does not dispute that the respondent-Society in its evidence did produce the statement of account Ex.DA. Although an opportunity was given to the learned counsel representing the appellant, however, she failed to draw the attention of the Court to any error in the statement of account. In view of the aforesaid, no ground to interfere is made out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

04.07.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE